

EFFECT, AND THE CONTROL OF THE PERSON HAVING BEEN ACQUIRED BY A COURT OF COMPETENT JURISDICTION OF THE STATE FROM WHICH THE PERSON FLED; OR

(3) WAS SUBJECT TO DETENTION IN THE OTHER STATE, BEING THEN THE PERSON'S LEGAL DOMICILE (PERSONAL SERVICE OF PROCESS HAVING BEEN MADE) BASED ON LEGAL PROCEEDINGS THERE PENDING TO HAVE THE PERSON DECLARED OF UNSOUND MIND.

(B) ACTION ON DEMAND.

A PERSON SUBJECT TO THIS SECTION SHALL, ON DEMAND OF THE EXECUTIVE AUTHORITY OF THE STATE FROM WHICH THE PERSON FLED, BE DELIVERED UP TO BE REMOVED THERETO.

REVISOR'S NOTE: Chapter 10, Acts of 2001, which enacted the Criminal Procedure Article, also enacted this section, which formerly was Art. 41, § 2-303. It is tabulated for clarity.

The only changes are in style.

Defined terms: "Executive authority" § 10-1301

"Flee" § 10-1301

"Person" § 1-101

"State" § 1-101

10-1303. PROCEDURES.

(A) DUTIES OF GOVERNOR.

(1) THIS SUBSECTION APPLIES WHENEVER THE EXECUTIVE AUTHORITY OF ANY STATE:

(I) DEMANDS OF THE GOVERNOR, A FUGITIVE WITHIN THE PURVIEW OF § 10-1302 OF THIS SUBTITLE; AND

(II) PRODUCES A COPY OF THE COMMITMENT, DECREE, OR OTHER JUDICIAL PROCESS AND PROCEEDINGS, CERTIFIED AS AUTHENTIC BY THE GOVERNOR OR CHIEF MAGISTRATE OF THE STATE WHENCE THE PERSON SO CHARGED HAS FLED, WITH AN AFFIDAVIT MADE BEFORE A PROPER OFFICER SHOWING THE PERSON TO BE A FUGITIVE.

(2) THE GOVERNOR SHALL:

(I) CAUSE A PERSON SUBJECT TO THIS SUBSECTION TO BE APPREHENDED AND SECURED, IF FOUND IN THIS STATE;

(II) CAUSE IMMEDIATE NOTICE OF THE APPREHENSION TO BE GIVEN TO THE EXECUTIVE AUTHORITY MAKING A DEMAND FOR THE PERSON, OR TO THE AGENT OF THE EXECUTIVE AUTHORITY APPOINTED TO RECEIVE THE FUGITIVE; AND

(III) CAUSE THE FUGITIVE TO BE DELIVERED TO THE AGENT WHEN THE AGENT APPEARS.